

Patent
Attorney's Docket No. 011683-012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of)
Robert L. HESS) Group Art Unit: 3736
Serial No.: 08/850,073) Examiner: J. Lacyk
(Reissue of U.S. Patent No. 5,411,466))
Filed: May 2, 1997)
For: APPARATUS FOR RESTENOSIS)
TREATMENT)

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SUPPLEMENTAL DECLARATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Robert L. Hess, the above-named inventor, hereby declare that:

I am a citizen of the United States, and my residence and mailing address is 35
Tagus Court, Portola Valley, California, 94028.

I verily believe myself to be the original, first and sole inventor of the invention
described and claimed in U.S. Letters Patent No. 5,411,466 (the "'466 patent") and for
which invention I have solicit a Reissue Patent.

I have reviewed and understand the amendments filed August 13, 2002, October 27,
2003, as well as the current amendments to the claims filed herewith.

I do not know and do not believe that said invention was ever known or used in the
United States of America before my invention thereof.

I acknowledge my duty to disclose all information known to me which is material to
patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

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PETITIONER further declares the following:

I verily believe the '466 patent may be at least partly inoperative or invalid for the reason that I claimed less than I had a right to claim in the '466 patent.

Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath or declaration submitted in this application, including the amendments filed August 13, 2002, October 27, 2003 and the present amendment, arose without deceptive intention on my part.

I further declare that all statements made herein of my own knowledge are true and that all statements made of information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made, are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

Dated: August 15, 2004

By: 

Robert L. Heiss

I hereby certify that this correspondence is being sent
by Facsimile Transmission to the
Commissioner For Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 on:

Date: OCTOBER 14, 2004Name: Jay A. Roeder(Typed or printed name of person signing the
certificate)Sign: Jay A. Roeder

(Signature of person signing the certificate)

Date: October 14, 2004

(Date of Signature)

To Fax No. 703-872-9306